MST

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.707 OF 2007

Rama Krishi Rasayan Petitioner
versus
Relianci Silicones (India) Ltd. Respondent

Kumud Bhatia for petitioner.

Shriram Patil i/by G.D.Talreja & Associates for respondent.

CORAM : A.M.KHANWILKAR, J.
DATE : 18th December 2007

PC :

1. Counsel for the respondent has placed on record affidavit of Ashok Sharma sworn on 18th December 2007. Along with the said affidavit the respondent has filed Exhibit-A placing on record the order passed by the AAIFR dated 29th August 2000 whereby the respondent company has already been declared as sick company. Counsel for the petitioner submits that she may be given time to ascertain this position. In my opinion, there is no reason to doubt the correctness of the stand taken by the respondent on affidavit which is supported by a copy of the order annexed as Exhibit-A to the affidavit. In the event, the

MST

petitioner is able to place material on record to indicate that the statement made by the respondent is incorrect, will be free to apply for revival of the present petition, which prayer will be considered on its own merits.

2. For the time being, as the respondent company has been declared sick, nothing survives for consideration in the present petition. This petition is disposed off with liberty to the petitioner to pursue his claim in appropriate proceedings as may be permissible by law which will be considered on its own merits. Disposed off accordingly.

(A.M.KHANWILKAR, J.)